

7 April 2015

English only

Economic Commission for Europe

Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents

Bureau

Thirty-first meeting

Geneva, 3 and 4 December 2015

Report of the meeting

1. Opening of the meeting and adoption of the agenda

1. The following Bureau members were present:
 - Ms. Jasmina Karba (Slovenia), Chair and co-Chair of the small group on financing
 - Mr. Paweł Dadasiewicz (Poland), Vice-Chair
 - Ms. Svetlana Stirbu (Republic of Moldova), Vice-Chair
 - Mr. Chris Dijkens (Netherlands), Chair of the Working Group on Development and co-Chair of the small group on financing
 - Mr. Pavel Forint (Czech Republic)
 - Mr. Yashar Karimov (Azerbaijan)
 - Mr. Aléxandros Kiriazis (European Commission)
 - Ms. Torill Tandberg (Norway)
 - Mr. Gerhard Winkelmann-Oei (Germany), co-Chair of the Joint ad hoc Expert Group on Water and Industrial Accidents.

Bureau member Mr. Eero Kytömaa (Finland) was absent. Ms. Sandra Ashcroft (United Kingdom), Chair of the Working Group on Implementation was also present upon invitation by the chair of the Bureau.

2. The meeting was serviced by the secretariat to the United Nations Economic Commission for Europe (UNECE), represented by Mr. Sergiusz Ludwiczak, Mr. Nicholas Bonvoisin, Ms. Franziska Ilg-Hirsch, Ms. Virginia Fusé and Mr. Nikolay Savov.

3. The Bureau adopted the provisional agenda (CP.TEIA/2015/B.3/Agenda) without changes.

4. The secretariat informed the Bureau about developments related to the personnel in the secretariat, namely about: (i) the absence of Ms. Fusé for a temporary vacancy assignment for three months until end-February 2016, (ii) the recruitment of Ms. Claudia Kamke as Associate Environmental Affairs Officer in the secretariat on a temporary assignment of one year starting from January 2016 and (iii) the resignation due to personal reasons of Mr. Savov as Assistance Programme Manager as of end-February 2016. Bureau members expressed their appreciation for Mr. Savov's substantive contributions to the Convention and thanked him for his three years of service. They expressed concerns about and highlighted the need to retain stability in the secretariat as well as substantive knowledge.

5. Furthermore, Bureau members expressed the wish that there be more regular budget (RB) staff servicing the Convention. The secretariat indicated that it was unlikely that further RB resources be made available. Decisions on budgetary matters were taken by the United Nations General Assembly. A strong message from United Nations Member States represented in related discussions in New York, in particular from the European Union, would be more likely to be heard. Such a message could be linked to the fact that several UNECE multilateral environmental agreements (MEAs) were opening beyond the UNECE region. **Bureau members agreed to follow-up on a suggestion to contact their national representatives at the United Nations General Assembly in New York to advocate for increasing RB financing of the Convention secretariat.**

2. Long-term goals, future strategy and 2017–2018 workplan

6. The Bureau engaged in a brainstorming exercise to discuss the long-term goals and future strategy of the Convention, considering the following issues:

(a) Implementation gaps and challenges, based on countries' needs. In this regard, the Bureau discussed the level of the implementation of the Convention (contrasting the European Union (EU) and non-EU countries), the availability of sufficient information on implementation challenges and countries' needs, relevant critical indicators and baseline information and the absence of project proposals by beneficiary countries. The secretariat recalled the information available through the national implementation reports and self-assessments, and the ongoing review by the Working Group on Implementation of the information available to assess the effectiveness of the Assistance Programme;

(b) The need to focus efforts on countries and regions where the risk of accident was most prevalent;

(c) The further development of the Convention to ensure its relevance in terms of its scope to address key accident risks (e.g., transport and off-shore accidents, and explicitly tailings management facilities (TMFs)). The secretariat recalled the role of the Working Group on Development in this regard to review pertinent policy issues and to revise the Convention's scope;

(d) The need to stress increasingly the Convention's transboundary focus;

(e) Related policy issues, areas and opportunities, such as safety and security, chemical, biological, radiological, nuclear and explosive threats (CBRNE), climate change and land-use planning;

(f) Global developments, in particular the Sendai Framework for Disaster Risk Reduction 2015–2030 and the 2030 Agenda for Sustainable Development, with its Sustainable Development Goals (SDGs), and their linkages with the Convention;

(g) The Convention's envisaged opening along with the gradual approach agreed by the Bureau and the Working Group on Development, considering also the need to support accession by UNECE member States not yet party to the Convention;

(h) The engagement of a broader range of stakeholders, in particular of industry initiatives (e.g., Responsible Care), associations and companies;

(i) The ongoing need for partnerships with other organizations in order to reap synergies;

(j) The Convention's core competencies, comprising:

(i) Policy and governance for industrial safety,

(ii) A focus on transboundary aspects,

(iii) Guidance development,

(iv) A platform to share experiences and good practices between countries;

- (k) The need to highlight the added value of the Convention, such as:
 - (i) Preventing accidents and avoiding related social and economic costs (cost of prevention vs. cost of accidents),
 - (ii) Contributing to the well-being of a country and its economic development,
 - (iii) Preventing and resolving conflicts and fostering transboundary cooperation between countries.

7. Bureau members exchanged by means of a tour-de-table brainstorming of their personal views on a vision for the Convention by 2030. Several items were mentioned by Bureau members, with the understanding that these items did not reflect any agreement with regard to a future vision, but were instead possible elements, some of which might merit further discussion.

8. Furthermore, the Bureau discussed several priority needs, to be reflected in the long-term strategy and the next workplan 2017–2018:¹

- (a) The identification and notification of hazardous activities by all Parties;
- (b) Transboundary activities (exercises and harmonized or joint emergency plans);
- (c) The implementation of the concept of synergies in practice (between authorities at the national level and with partners at the Convention level);
- (d) Sustainable financing;
- (e) Improved ownership of the Convention by all Parties;
- (f) Demonstration of the benefits of the Convention to donors and beneficiaries;
- (g) Improved project planning, design and management;
- (h) Implementation guidance on the Convention.

9. With regard to the above, the Bureau agreed:

- (a) To develop further a revised long-term strategy until 2030, aligned with the 2030 Agenda for Sustainable Development, if accorded such a mandate by the Conference of the Parties at its ninth meeting. The long-term strategy should be linked with a strategy for the Convention's opening;
- (b) That the overarching and cross-cutting issues included in the long-term strategy until 2020, adopted by the Conference of the Parties at its sixth meeting (The Hague, 2010),² were still valid. They could be updated and enriched with elements arising from the discussion;
- (c) On the key principles of the long-term strategy: sustainability, robustness, efficiency and achievability;
- (d) That a marketing strategy on the Convention be developed, with respective branding elements and communication products, targeted to its key constituency (key customers need to be identified first), which should demonstrate the Convention's added value (also vis-à-vis other processes dealing with industrial safety) to beneficiary and donor countries, and enhance its visibility.
- (e) To report on its discussion to the Conference of the Parties at its ninth meeting.

10. **The Bureau decided to:**

² Involvement of stakeholders, exchange of information, strategic partnerships, Assistance Programme, Financing.

- Review key elements from its discussion when reviewing the 2017–2018 workplan at its next meeting
 - Reflect the respective elements from the discussion in the report by the Bureau to the Conference of the Parties
 - Make further efforts to involve industry representatives in the work of the Convention, stressing its added value, and encourage the use of the Convention’s tools by businesses.
11. The Bureau requested the secretariat to:
- Establish a database with industry contacts, including associations, in cooperation with the Bureau, to invite industry associations to its meetings and increasingly invite them to participate in activities.

3. Development of the Convention

3.1 Activities by the Working Group on Development

12. The co-Chairs of the sixth meeting of the Working Group on Development (Geneva, 30 November–2 December 2015) briefed the Bureau of the meeting’s outcome and explained the rationale for the decisions taken, highlighting the following:

(a) The significant progress reached on agreeing on a draft amendment, in particular on article 9, thanks to preparatory work, background information, the good spirit of discussions and the constructive approach by the Parties, in particular the EU;

(b) The decision by the Working Group to propose to the Conference of the Parties to include in the draft amendment the opening of the Convention for accession to United Nations Member States beyond the UNECE region;

(c) The agreement reached that the issue of safeguards related to the opening be included in the draft decision on the amendment. They recalled that the opening of the Convention had been discussed in the Working Group’s two previous meetings, resulting in an affirmative decision, based on extensive background documentation prepared by the secretariat. A gradual approach to the opening had been outlined in the secretariat note for the sixth meeting of the Working Group on Development,³ on the basis of related communication and direction provided by the Bureau following its thirtieth meeting;

(d) The decision by the Working Group to propose to the Conference of the Parties not to prepare guidance on mutual assistance and on compliance. With regard to compliance, the Working Group recommended that the Terms of Reference (ToR) for the Working Group on Implementation be updated to ensure that that Working Group could most effectively support Parties and committed countries in strengthening their implementation of the Convention; and that this could be achieved within the current review of the ToR under the aegis of the Bureau, in cooperation with the Working Group on Implementation;

(e) The approach to the development of guidance on safety and land-use planning, including the distribution of a survey in December 2015 and the organization of a workshop on 13 April 2016, organized jointly with the UNECE Convention on Environmental Impact Assessment in a Transboundary Context, its Protocol on Strategic

³ Opening of the Convention for accession by United Nations Member States beyond the Economic Commission for Europe region: Possible approaches to address budgetary implications (ECE/CP.TEIA/WG.1/2015/9), available from: www.unece.org/fileadmin/DAM/env/documents/2015/TEIA/WGD/WGD6/9_E_ECE_CP_TEIA_WG.1_2015.pdf

Environmental Assessment and the Committee on Housing and Land Management. The Bureau highlighted the need to announce the joint workshop as soon as feasible.

13. **The Bureau requested the secretariat to:**

- **Circulate to focal points in December 2015 the dates of the workshop on safety and land-use planning along with information on the survey**
- **Circulate more widely in February 2016 substantive information about the workshop .**

3.2 Amendments to the Terms of Reference of the Bureau and the Convention's subsidiary bodies and Rules of Procedure

14. The Chair recalled the discussions on the ToR and Rules of Procedure at the previous meeting of the Bureau, as well as the subsequent electronic consultations. The Bureau reviewed and agreed, with slight editorial modifications, on the updated amendments to the ToR of the Bureau and the Working Group on Development, as well as the Rules of Procedure, in the light of the feedback received from the United Nations Office for Legal Affairs. The Bureau agreed with the secretariat's proposal presented during the sixth meeting of the Working Group on Development to shorten the Working Group's name formally from "Working Group on the Development of the Convention" to "Working Group on Development".

15. The current and previous Chairs of the Bureau recalled the Bureau's agreement reached at its twenty-seventh meeting (The Hague, 15–16 June 2014) that the Bureau had independent functions as a subsidiary body and was not in a position to change recommendations or decisions reached by other subsidiary bodies. At the same time, the Bureau was in a position to make recommendations which the Chairs of the other subsidiary bodies could decide to address. The wording in the ToR that both the Working Group on Development and the Working Group on Implementation present their recommendations "through" the Bureau reflected this aspect adequately.

16. The Bureau discussed whether to restrict observers in the Bureau to non-Parties to the Convention from the UNECE region and agreed, in line with the gradual approach to the opening, that this be the case at this stage in time, while the ToR could be amended further in the future.

17. The Bureau requested the Working Group on Implementation to review and further refine its ToR, with due regard to the discussions at the sixth meeting of the Working Group on Development (see para. 12 (d) above). The Bureau could then revisit the draft update of the Working Group's ToR at its June meeting.

18. **The Bureau recommended the Working Group on Implementation to:**

- **Review its ToR, in the light of the discussion held by the Working Group on Development at its sixth meeting, and to present a revised draft to the Bureau.**

19. **The Bureau decided to:**

- **Review the draft amended ToR of the Working Group on Implementation, as proposed by that Working Group, at its June 2016 meeting.**

3.3 Accession by United Nations Member States from outside the UNECE region

20. The secretariat reported on measures taken to maintain and develop its contacts with other regional commissions and international organizations outside the UNECE region, in line with the request by the Conference of the Parties at its eighth meeting. It briefed the Bureau on its reaching out to representatives of Member States and organizations from outside the UNECE region through its participation remotely or in person in the following meetings:

(a) The Environmental Emergencies Forum organized by the Joint United Nations Environment Programme (UNEP)/Office for the Coordination of Humanitarian Affairs (OCHA) Environment Unit (Oslo, 1–3 June 2015);

(b) A joint side event, organized in the framework of the Inter-agency Coordination Group on Industrial Accidents, at the UNEP Strategic Approach for International Chemicals Management (SAICM) Fourth International Conference for Chemicals Managements (Geneva, 2 October 2015);

(c) The third meeting of the United Nations Economic Commission for Asia and the Pacific (UNESCAP) Sustainable Business Network Task Force on Disaster Risk Reduction (Bangkok, 27 October 2015)

(d) The Bangladesh Resilience Dialogue (Dhaka, 8 October 2015);

(e) An International Workshop of the Industrial Safety Regulation Bodies of the BRICS countries⁴ on “Effective Regulation of Industrial Safety as an Element of Stability of National Economy” (Moscow, 11–12 November 2015).

21. The secretariat highlighted the recently-initiated cooperation with UNESCAP as particularly noteworthy, including due to their close linkages with the business community and the overlapping membership with the UNECE region.⁵ Participants in events identified above (para. 20, items (c) and (d)) showed interest in the Convention and its tools and products following the presentations by the secretariat. The Chair of the UNESCAP Advisory Group on Disaster Risk Reduction and the UNESCAP Regional Adviser for Disaster Risk Reduction had highlighted their interest in continued cooperation and in their attendance of the seminar to be organized in the framework of the upcoming Conference of the Parties. During the other meetings with global presence in which the secretariat participated, there was also interest in the Convention from national representatives of countries beyond the region. During the international workshop for the BRICS countries, representatives of China indicated during informal discussions their interest in international exchange of experience and good practices, including through the Convention.

22. The secretariat reported that a further opportunity for reaching out to countries beyond the UNECE region would be through partnership with the Organization for the Prohibition of Chemical Weapons (OPCW). The Convention had been invited by OPCW to be represented in a Seminar on the Chemical Weapons Convention and Chemical Safety and Security Management for Member States of the OPCW in the Asia Region (Doha, 23–26 February 2016), following an expression of interest by Qatar in learning more about the Convention. Qatar was ready to cover the costs for travel and accommodation related to participation in the meeting, in which about 45 countries from Asia, including from Central Asia, were expected to be represented. The Bureau agreed that the Convention should seize this opportunity, in particular following the indication that costs related to participation would be covered.

23. The Bureau member from Poland provided information about the Chemical Safety and Security Summit (Kielce, Poland, 18–20 April 2016)⁶, which will present a good opportunity to highlight the work of the Convention also to participants from beyond the UNECE region.

24. The Bureau:

⁴ Brazil, Russian Federation, India, China and South Africa.

⁵ The following Parties to the Convention are also member States of UNESCAP: Armenia, Azerbaijan, Kazakhstan, Russian Federation, France, Netherlands and United Kingdom. The following Assistance Programme beneficiary countries are also member States of UNESCAP: Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan and Uzbekistan.

⁶ More information about this event is available at: www.chemss2016.org.

(a) Took note of and welcomed the secretariat's engagement in the development of contacts with partner organizations to reach out to organizations beyond the UNECE region, including through the participation in meetings and side events;

(b) Agreed that **the secretariat continue to seize opportunities for reaching out beyond the region with the least burden possible in terms of time and resources, and report back to the Bureau;**

(c) Stressed that not only the secretariat but also **Bureau members should identify and seize such opportunities and represent the Convention outside the UNECE region.**

4. Assistance Activities

4.1 Assistance Programme: Challenges and future development

25. On the basis of a background note, the secretariat highlighted the main challenges encountered in the implementation of the Assistance Programme, namely:

(a) The low rate of implementation of the Strategic Approach, including a low number of self-assessments, very few action plans and no project proposals received;

(b) The insufficient ownership of the Assistance Programme by many of the beneficiary countries;

(c) The increasing burden on the secretariat, and lead countries for implementing activities;

(d) The unpredictable financing of the Programme.

26. Possible reasons for this situation were identified, such as:

(a) The design of the Assistance Programme and the adoption of the High-level Commitment Declaration dating back to 2004 and 2005 respectively;

(b) Changes that have occurred in the economic and political landscape of the UNECE region since then;

(c) Major political changes in some of the beneficiary countries, leading to unstable or weak institutional memory, which may in turn have affected their commitment;

(d) Inadequate staffing and availability of resources in the beneficiary countries;

(e) The implementation of the Strategic Approach being regarded as an administrative burden by the beneficiary countries, subject to complicated procedures of authorization by various competent authorities;

(f) Competition for human resources and capacity of the beneficiary countries between capacity-building activities organized to support the EU accession or association processes and activities under the Convention's Assistance Programme. The EU generally provides for large-scale funding for several years and, as such, the attention of the countries is increasingly geared towards implementing EU-funded projects;

(g) Unpredictable and irregular financial contributions for the Assistance Programme – apart from a few key donors – not allowing for the predictable planning of activities and placing a significant burden on the administrative capacity of the secretariat, which has to deal with the planning, implementation and reporting of several small-scale activities and projects, as well as approaching potential donors;

(h) The Programme's scope being mainly targeted at assistance of national and local authorities to meet the Convention's obligations, thus not specifically including vital stakeholders, such as industry, non-governmental organizations (NGOs) and the public;

(i) The low visibility of the Convention in beneficiary countries, where it is frequently regarded as niche legislation.

27. The secretariat outlined three possible scenarios for the future of the Programme, for the Bureau's further discussion:

(a) Keeping the status quo and continuing with the current approach to the management of the Programme;

(b) Further developing the Programme;

(c) Scaling down of the Programme, in particular if the conclusion was reached that it had sufficiently contributed to enhancing industrial safety in Eastern and South-Eastern Europe, the Caucasus and Central Asia.

28. On this basis, Bureau members engaged in a broader reflection on the Assistance Programme, discussed its future and:

(a) Recalled that the Programme with its structured approach was an asset to the Convention, highlighting its importance for enhancing industrial safety and cooperation throughout the UNECE region;

(b) Recognized that the Strategic Approach, with its benchmarks⁷, has not been used systematically by the countries, likely due to the insufficient perception of these tools as beneficial to the countries;

(c) Discussed whether a simplified way of implementing the Strategic Approach could be suggested. The Chair of the Working Group on Implementation informed the Bureau that the Working Group had just discussed such a way forward and agreed to allow Georgia to prepare a project proposal on the basis of its national CBRNE action plan, rather than an action plan under the Strategic Approach;

(d) Stressed the importance of co-financing (in cash or in-kind) by the beneficiary countries of the projects being implemented, thus increasing their ownership, stimulating synergies and encouraging the identification of other stakeholders to be associated;

(e) Considered the repositioning or re-branding of the Assistance Programme. The secretariat had suggested that a change of its name to "Cooperation and Support Programme" could be considered;

(f) Highlighted the importance of avoiding duplication of activities carried out in Eastern and South-Eastern Europe, the Caucasus and Central Asia and the need to consider synergies in implementing these, including with activities financed by the EU and the development cooperation agencies of other Parties to the Convention;

(g) Stressed the need of making use of strategic partnerships and synergies with other MEAs, international and regional organizations and initiatives. Some new partners might be the European Bank for Reconstruction and Development (EBRD), the Global Environment Facility, OPCW, the Regional Environmental Centre for Central and Eastern Europe and national development cooperation agencies;

(h) Stressed the continued involvement of experts from Parties to decrease the burden to the secretariat in implementing assistance activities;(i) Recognized that sustainable and predictable financing for the Assistance Programme was key for the planning and implementation of activities. The Bureau discussed the economic viability of

⁷ Benchmarks for the implementation of the Convention on the Transboundary Effects of Industrial Accidents (ECE/CP.TEIA/2010/6) have been developed to complement the Assistance Programme's Strategic Approach. They comprise forms with criteria and indicators for countries' self-evaluation, to report on the progress achieved, and develop national action plans. They are available from: <http://www.unece.org/env/teia/ap/tools.html>

projects implemented under the Assistance Programme, considering that, for smaller-scale projects, the costs of overheads and staff were comparatively high. It also stressed the importance of finding a proper financing mechanism and gaining experience in using it. A longer-term, for example, three-to-five-year, project cycle could be considered. Expertise in the secretariat with regard to attracting funding sources for such activities and engaging with potential donors would be helpful and might be shared across UNECE Conventions;

(j) Highlighted the need for efficient and effective project management in the implementation of projects by UNECE;

(k) Considered means of increasing project impact through, for example, greater ownership, high-level support, obligatory co-financing, expanding project aims to address other themes and introducing long-term flagship projects.

29. The secretariat mentioned that the countries that were successful with the implementation of the Strategic Approach, mainly in South-Eastern Europe, had higher levels of capacity and had been able to invest more resources themselves, enabling them to make steady progress towards accession to the Convention. Other countries in Eastern Europe, the Caucasus and, in particular, Central Asia also encountered difficulties implementing the other UNECE MEAs.

30. The Bureau agreed that:

(a) The time was ripe for rethinking the direction of the Programme and consider a re-branding;

(b) There was a need for flexibility when applying the Strategic Approach, taking account of the national situation in the beneficiary countries and the need to retain their engagement;

(c) The scaling down of the Assistance Programme would not be acceptable and that the Programme should be further developed and improved, taking into account new developments and the need to increase the level of ownership of the beneficiary countries;

(d) Ensuring the sustainability of the Assistance Programme was crucial and, in this regard, the commitment and contributions from the Parties to the Convention and other donors was essential;

(e) There was a need to further investigate how potential donors could be approached and how enhanced commitment could be ensured from the range of Parties to the Convention;

(f) This discussion be reflected in the document on the Assistance Programme to be presented to the Conference of the Parties, for it to provide a direction on its future development. To this end, it requested **the secretariat to prepare the draft document or documents on the Assistance Programme for the Conference of the Parties, for review by the Bureau at its next meeting.**

4.2 Review of the effectiveness of the Assistance Programme

31. The Chair of the Working Group on Implementation presented the Working Group's discussions on assessing the effectiveness of the Assistance Programme. She also presented the preliminary work done by the secretariat to collect quantitative data from the information available on assistance activities, the national implementation reports, the Strategic Approach (self-assessments and action plans) and other sources. The Working Group had agreed that there was a need for qualitative data to support the assessment of effectiveness, since the data available at present was mainly about the quantity of activities carried out but not their impact or effectiveness. She also mentioned her intention to involve a social scientist from the United Kingdom to understand what kind of qualitative information should be collected to enable a more thorough assessment of the Programme.

32. Bureau members noted the close linkages between the review of the effectiveness of the Assistance Programme and its future development. They mentioned alternative sources of information on industrial accident prevention, preparedness and response in UNECE member States, such as reports submitted to the EU and national CBRNE and disaster risk reduction strategies and workplans.

33. The Bureau took note of the work of the Working Group on Implementation and requested **the Chair to report on the progress made at the next Bureau meeting.**

4.3 Implementation of activities under the Assistance Programme

34. The secretariat reported on the finalization of the Danube Delta project, highlighting the most important milestones, notably the final workshop, the results achieved and the lessons learned from the project. The Chair of the Project Management Group made a short presentation on the achievements of the project and the challenges encountered, including with regard to the political instability and institutional changes in Ukraine, the lack of financing and the presentation of financial information to the Project Management Group.

35. The Bureau member from the Republic of Moldova presented the lessons learned from the Danube Delta project from the perspective of a beneficiary country, highlighting both positive aspects of the project and possible future improvements for similar projects. She also reported on the challenges related to the financing of some of the activities within the project, particularly the significant delay experienced by the Republic of Moldova in receiving the final payment of the grant. The secretariat informed the Bureau that these problems were primarily related to the organizational transition of the United Nations Secretariat, including UNECE, to a new enterprise resource planning (ERP) and workflow management system called Umoja, which was being implemented as decided by United Nations General Assembly. The introduction of Umoja was accompanied by a black-out period during which neither the old nor the new system was available, which caused a delay in the payment of the final portion of the grant for the final workshop. The secretariat also highlighted its increased involvement in the project and the related workload, including fundraising, due to the lack of sufficient financing, in particular for the crisis management component of the project.

36. Bureau members complimented the Danube Delta project national coordinators for their commitment to the project and highlighted the need to ensure sustainability of the project results, which could be achieved through cooperation with the International Commission for the Protection of the Danube River. They stressed that situations in which the beneficiary countries encountered significant delays in receiving funds spent for the implementation of activities were unacceptable and encouraged the secretariat to take all measures to avoid such situations in the future. The Chair, on behalf of the Bureau, thanked the beneficiary and the donor countries for their efforts in the implementation of the project.

37. The Bureau stressed the need to learn from the experience from this project and to carefully determine the costs for future activities and the coverage of these costs. To this end, it requested **the secretariat to prepare, for presentation to the Bureau at its next meeting, a document summarizing the challenges identified and the lessons learned from the Danube Delta project, proposing the way forward for the implementation of future projects.**

38. The secretariat reported on other activities carried out under the Assistance Programme since the Bureau's previous meeting, highlighting partnerships with other organizations, as follows:

(a) A seminar on "Environmental safety of gas and oil pipelines in Belarus" (Minsk, 17–18 September 2015), organized by UNEP, the United Nations Development Programme and the NGO Zoi Environment Network, in cooperation with UNECE in the framework of the Environment and Security Initiative;

(b) A workshop on Environmental Emergencies Preparedness and Flash Environmental Assessment Tool Training (Tbilisi, 24–26 November 2015), organized by the UNEP/OCHA Joint Environment Unit;

(c) A multi-stakeholder workshop on “Needs for information on hazardous chemicals to ensure implementation of sound chemical management in Georgia” (Tbilisi, 29–30 October 2015), organized by the European Centre for Environment and Health of the World Health Organization Regional Office for Europe.

39. The Bureau welcomed the secretariat’s approach to pursue partnerships in the absence of dedicated resources and capacity for activities under the Assistance Programme. The secretariat recalled that, for 2016, no dedicated funding for the implementation of assistance activities had been made available, apart from Norwegian funds in the framework of the programme “Promoting environmental cooperation and protection in the UNECE region” 2015–2017 for the implementation of activities to build capacity on the Convention’s amended annex I.

4.4 Other assistance activities

40. The Chair informed the Bureau that Slovenia’s international development cooperation will support Montenegro in drawing up a self-assessment and national action plan and implementing the Convention’s amended annex I. The need for such assistance had been confirmed by the focal point in Montenegro.

41. The German member of the Bureau, leading the activities implemented in-kind on TMFs in Ukraine, highlighted the three main results achieved under the project:

(a) Analysis of the legislation of Ukraine (including with reference to the benchmarks), revealing numerous legal acts and unclear delineation of the responsibility of many different authorities and the need for enhanced cooperation among them;

(b) Identification of short-, medium- and long-term measures that the country could apply to TMFs;

(c) Identification of the risk potential, by means of a tailings hazard index.

42. He highlighted the basis for follow-up activities, planned by Germany:

(a) A draft project proposal for Georgia had been prepared, which would comprise a legal analysis on TMFs and how to incorporate its outcome into the national legislation, in particular with respect to transboundary cooperation with the neighbouring countries in the Caucasus. The project was planned to begin in mid-2016;

(b) Germany had also received a request from a Ukrainian university for a project on TMFs, especially a practical course on the application of the checklist methodology. The project proposal would include an international workshop with the involvement of scientists from the UNECE region.

43. Bureau members supported these project ideas. The Chair of the Bureau invited **the German Bureau member to share both project proposals with the Working Group on Implementation**, on the basis of the Bureau’s decision at its previous meeting. The secretariat suggested that one of the outputs of the university training could be the development of training materials to be inserted in the curriculum of other universities, in addition to the tools developed during the training themselves.

44. The German Bureau member who is also the Chair of the Joint ad hoc Expert Group on Water and Industrial Accidents (JEG) mentioned possible activities envisaged to be organized by JEG in 2017 in order to assist beneficiary countries:

(a) A response exercise in Hungary;

(b) An activity between Poland and Germany on the Odra in May 2017, followed by an international seminar focused on tools and equipment to fight oil contamination.

45. The JEG Chair mentioned that JEG was to discuss these proposals further at its next meeting. The secretariat recalled that it was important for **JEG to prepare ideas for its draft future workplan for presentation to the Bureaux of the Industrial Accidents and Water Conventions**. On this basis, the Bureau invited JEG to proceed accordingly.

5. Financing and implementation of the 2015–2016 workplan

46. The secretariat reported on the overall financial situation of the trust fund, highlighting in particular the following:

(a) The gap between income and expenditures, which was increasing compared with 2014, and the decreasing trust fund balance. This was despite the fact that expenditures in 2015 have been kept to a minimum, including due to the possibility to make use of RB resources for some travel of RB staff;

(b) New contributions committed since the last Bureau meeting by Albania, Azerbaijan, Greece and Poland;

(c) Italy, previously a long-standing donor, had unfortunately not been in a position to provide any resources for 2015;

(d) For 2016, the situation was worrying, with contributions by some major donors, including Germany and Italy, decreasing and being uncertain. Challenges include retaining old donors, identifying new sources of funding and broadening the base of donors.

47. In the light of the financial situation, the Bureau agreed with the proposal by the secretariat not to hire a replacement for the position of the Assistance Programme manager, which will become vacant as of end-February 2016. Consequently, the number of professional staff servicing the Convention would decrease from four to three. Furthermore, at the end of 2016, the contract of the Associate Environmental Affairs Officer would come to an end, at which point the Bureau would need to decide on the number of staff servicing the Convention which could be afforded with the resources available.

48. The secretariat further indicated not being in a position to plan for any other activities in 2016, apart from intergovernmental meetings under the Convention, unless dedicated financing would be made available. The secretariat was planning to carry out an additional Assistance Programme activity to support capacity-building on the amended annex I, pending confirmation of additional funds for the travel of participants. Due to the absence of dedicated financing for the participation of representatives from Eastern and South-Eastern Europe, the Caucasus and Central Asia, it was not possible to respond positively to the offer by Poland to host a consultation of the points of contacts.

49. The co-Chair of the small group on financing from the Netherlands recalled the discussions held in the small group and follow-up efforts on which members embarked. He reported having established contact with Austria in view of reaching out to the Austrian Development Agency and the possibility to submit project proposals under the Assistance Programme. The secretariat indicated that suitable projects could be developed, building on previous proposals, which it regularly prepared targeted at donor priorities, in line with the workplan. The Chair mentioned having benefited from such a proposal for preparing a proposal for the Slovenian International Development Cooperation to support Montenegro. The secretariat mentioned that, with decreasing staff, it will have fewer possibilities to develop project proposals and support fundraising efforts in the future.

50. The member of the small group on financing from the United Kingdom mentioned having established contact with a representative of the EBRD who was also engaged in the small group of legal experts under the Convention. The Chair of the Bureau reiterated the need for increasing ownership by Parties of the workplan and their responsibilities to contribute, to be conveyed at the next meeting of the Conference of the Parties.

51. The Bureau:

(a) Noted with concern the trust fund situation and the uncertainty of the situation for 2016;

(b) Welcomed and supported the efforts by the small group on financing to reach out to Parties with the potential to contribute increasingly, in line with economic strength, and national development cooperation agencies, and to develop a marketing strategy for the Convention;

(c) Discussed the need to submit tailor-made proposals to the respective donors, which could build on proposals prepared earlier by the secretariat, and agreed that **Bureau members should contact the secretariat for such project proposals upon identifying respective funding opportunities;**

(d) Decided to organize an online consultation of the points of contacts in 2016 and to revert to the possibility to hold a face-to-face meeting, depending on resource availability, in the next biennium.

52. Furthermore, the Bureau discussed the differentiation between core and non-core services of the secretariat, on the basis of a secretariat note, reflecting the views exchanged electronically following the previous Bureau meeting. The Bureau agreed with the following differentiation, with the understanding that it would review this list again when discussing the 2017–2018 workplan:

(a) Core services:

- (i) General programme management, including of human and financial issues,⁸
- (ii) Convening and preparing meetings of the Parties, including servicing of meetings of the Bureau and the subsidiary bodies and substantive input to meetings,
- (iii) Preparation of documents and other deliverables, also including the facilitation of participation (travel, subsistence, etc.),
- (iv) Information, liaison and communication, including with Parties, member States, other UNECE MEAs and committees and relevant international organizations,
- (v) Facilitation of implementation (through implementation guidance, coordination, partnerships, sharing good practice);

(b) Non-core services:

- (i) Capacity development on the ground and technical assistance,
- (ii) Reporting to donors providing funding for assistance activities,
- (iii) Support to the industrial accidents notification system,
- (iv) Awareness raising in and outreach to other regions,
- (v) Other functions determined by Parties.

53. The representative of the EU recalled that it was important to keep in mind the treaty text of the Industrial Accidents Convention for determining the core services. The secretariat stressed that while it was important to keep in mind article 20, paragraphs (a) and (b), for determining the core functions which shall include servicing and reporting, this could not be case for article 20 (c) setting out “such other functions as may be determined by Parties.” “Such other functions” would comprise all previous decisions by the Conference of the Parties and could — also in the past — only be absorbed with extra budgetary resources, which had not been sustainable and predictable. The representative of

⁸ This includes the required financial reporting in the United Nations framework, programme monitoring and reporting on its implementation.

the EU agreed with this way forward and furthermore suggested that it may be useful to prioritize among the non-core services.

54. **The Bureau agreed to:**

- **Continue to encourage Parties to provide support in 2016 at least at a level reflecting their economic strength, in line with the sustainable financial mechanism.**

55. **The Bureau requested the small group on financing to:**

- **Continue approaching representatives of Parties, development cooperation agencies and international organizations in view of attracting increasing contributions to the Convention**
- **Develop a marketing strategy for the Convention.**

56. **The Bureau asked the secretariat to:**

- **Prepare a draft 2017–2018 workplan, reflecting a differentiation between core and non-core activities, for the Bureau’s review in advance of its thirty-second meeting.**

6. Ninth meeting of the Conference of the Parties and joint UNECE/OECD seminar

57. The Chair offered to host the ninth meeting of the Conference of the Parties in Slovenia – an offer welcomed by the Bureau and the secretariat. The Conference would be held covering the period 28–30 November 2016, back-to-back with a joint UNECE/Organization for Economic Cooperation and Development (OECD) seminar, which was to last one day. The exact duration and dates of both events were yet to be confirmed. Ms. Tandberg, as Chair of the OECD Bureau, presented the feedback from the OECD Working Group on Chemical Accidents at its meeting in October 2015. Bureau members voiced their opinion that the current seminar outline was too ambitious for a one-day event.

58. The Bureau agreed on the actions:

- **The Bureau will send its comments on the joint seminar to the secretariat by 11 December 2015**
- **The secretariat, in cooperation with the small group on “the seminar” and the OECD secretariat, will revise the seminar concept**
- **The Chair and the secretariat will review the duration and logistics of the ninth meeting of the Conference of the Parties.**

7. Proposed schedule of meetings for 2016

59. The Chair invited the Bureau to hold its next meeting in Slovenia. The Bureau welcomed the offer and agreed to meet on 29–30 June 2016.

8. Closure of the meeting

60. The Chair thanked the participants, as well as the secretariat for the preparation of the meeting, and closed the meeting at 16h25.